

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

VO-679

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

**10/500731**

INTERNATIONAL APPLICATION NO.

PCT/EP03/00178

INTERNATIONAL FILING DATE

10 January 2003

PRIORITY DATE CLAIMED

12 January 2002

TITLE OF INVENTION

HEATING DEVICE COMPRISING A FLEXIBLE HEATING ELEMENT

APPLICANT(S) FOR DO/EO/US

Ernst MERK et al.


Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
  2. ☐ This is a **SECOND OR SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
  3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
  4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
  5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
    - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☒ has been transmitted by the International Bureau.
    - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
  6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)), including a translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). (verified)
  7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
    - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
    - b. ☐ have been transmitted by the International Bureau.
    - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
    - d. ☒ have not been made and will not be made.
  8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). (verified)
  9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
  10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. to 16. below concern other document(s) or information included:
11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
  12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
  13. ☒ A **FIRST** preliminary amendment. (12 pages)  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
  14. ☒ A substitute specification. (attached to a red-ink marked-up version of the English language translation)
  15. ☐ A change of power of attorney and/or address letter.
  16. ☒ Other items or information:
    - Form PCT/IB/301
    - Form PCT/IB/304
    - Form PCT/IB/308
    - Form PCT/ISA/210 (English language version, 2 pages)
    - Transmittal of Substitute Specification (2 pages)
    - Certificate of Mailing by Express Mail (2 pages)
    - Return Receipt Postcard

EXPRESS MAIL NO.: EV512063681US

MAILED: 02 July 2004

CUSTOMER NO.: 42419

|  |              |   |            |   |        |
|--|--------------|---|------------|---|--------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.53)<br><b>10/500731</b>   |              | INTERNATIONAL APPLICATION NO.<br>PCT/EP03/00178 |            | ATTORNEY'S DOCKET NUMBER<br>VO-679  |        |
| 17. <input checked="" type="checkbox"/> The following fees are submitted:<br><b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b><br>Search Report has been prepared by the EPO or JPO ..... \$ 920.00<br><br>International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... \$ 730.00<br><br>No international preliminary examination fee paid to USPTO (37 CFR 1.482)<br>but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$ 770.00<br><br>Neither international preliminary examination fee (37 CFR 1.482) nor<br>international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$ 1,080.00<br><br>International preliminary examination fee paid to USPTO (37 CFR 1.482) and<br>all claims satisfied provisions of PCT Article 33(2)-(4) ..... \$ 100.00 |              |   |            | <b>CALCULATIONS</b> <span style="float: right;">PTO USE ONLY</span>   |        |
|  |              |   |            |   |        |
| ENTER APPROPRIATE BASIC FEE AMOUNT =   |              |   |            | \$  | 920.00 |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from<br>the earliest claimed priority date (37 CFR 1.492(e)).   |              |   |            |   |        |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA                                    | RATE       |   |        |
| Total claims   | * 18         | 0   | X \$18.00  |   |        |
| Independent claims   | * 1          | 0   | X \$86.00  |   |        |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |              |   | + \$290.00 |   |        |
| TOTAL OF ABOVE CALCULATIONS =  |              |   |            | \$  | 920.00 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above<br>are reduced by 1/2.  |              |   |            |   |        |
| SUBTOTAL =   |              |   |            | \$  | 920.00 |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months<br>from the earliest claimed priority date (37 CFR 1.492(f)).  |              |   |            |   |        |
| TOTAL NATIONAL FEE =   |              |   |            | \$  | 920.00 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an<br>appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  |              |   |            |   |        |
| TOTAL FEES ENCLOSED =  |              |   |            | \$  | 920.00 |
| * Based upon entry of the First Preliminary Amendment.   |              |   |            | Amount to be:<br>refunded   | \$     |
|  |              |   |            | charged   | \$     |
| a. <input checked="" type="checkbox"/> A check in the amount of \$920.00 to cover the above fee is enclosed.<br><br>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees.<br>A duplicate copy of this sheet is enclosed.<br><br>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any<br>overpayment to Deposit Account No. <u>19-3550</u> . A duplicate copy of this sheet is enclosed.  |              |   |            |   |        |
| <b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b))<br>must be filed and granted to restore the application to pending status.  |              |   |            |   |        |
| SEND ALL CORRESPONDENCE TO:<br><br>Pauley Petersen & Erickson<br>2800 West Higgins Road, Suite 365<br>Hoffman Estates, Illinois 60195<br>(847) 490-1400<br>Fax: (847) 490-1403   |              |   |            | SIGNATURE <br><br>Douglas H. Pauley<br><br>NAME<br><br>33,295<br><br>REGISTRATION NUMBER |        |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ernst MERK  
Ralf KÖHLER

Title: HEATING DEVICE COMPRISING A  
FLEXIBLE HEATING ELEMENT

Based Upon: PCT/EP03/00178

Express Mail No.: EV512063681US

Date of Deposit: 02 July 2004

Customer No.: 42419

**TRANSMITTAL OF SUBSTITUTE SPECIFICATION**

**Mail Stop PCT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants have enclosed a Substitute Specification attached to a red ink marked-up copy of the verified English language translation of PCT International Application PCT/EP03/00178. The red ink identifies changes to the verified English language translation which are incorporated in the Substitute Specification.

The Substitute Specification includes general revisions to correct idiomatic translational errors and to provide proper headings. The undersigned states that the Substitute Specification contains no new matter.

Based Upon: PCT/EP03/00178

Applicants sincerely believe that this Patent Application is now in condition for prosecution before the U.S. Patent and Trademark Office.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Douglas H. Pauley". The signature is fluid and cursive, with the first name "Douglas" and last name "Pauley" clearly distinguishable.

Douglas H. Pauley  
Registration No. 33,295

Pauley Petersen & Erickson  
2800 West Higgins Road; Suite 365  
Hoffman Estates, Illinois 60195  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ernst MERK  
Ralf KÖHLER

Title: HEATING DEVICE COMPRISING A FLEXIBLE  
HEATING ELEMENT

Based Upon: PCT/EP03/00178

Express Mail No.: EV512063681US

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Customer No.: 42419

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

**Mail Stop PCT**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that the following requisites of the subject Patent Application are being deposited with the United States Postal Service as Express Mail Post Office to Addressee No. EV512063681US, on 02 July 2004, and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, together with the items listed below.

- Transmittal Letter (Form PTO-1390)(2 pages), in duplicate
- Verified English language translation of the International Application, including a translation of the annexes to the

Based Upon: PCT/EP03/00178

International Preliminary Examination Report under PCT

Article 36 (35 U.S.C. 371(c)(5))

- First Preliminary Amendment (12 pages)
- Transmittal of Substitute Specification (2 pages)
- Substitute Specification attached to a red ink marked-up copy of the verified English language translation
- Form PCT/IB/301
- Form PCT/IB/304
- Form PCT/IB/308
- English language copy of the International Search Report, Form PCT/ISA/210 (2 pages)
- A check in the amount of \$920.00 to cover the fees set forth in the Transmittal Letter
- Return Receipt Postcard

Respectfully submitted,



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